

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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COURTNEY LINDE et al.,	:
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Plaintiffs,	:
	:
- against -	:
	:
ARAB BANK, PLC,	:
	:
Defendant.	:
	:
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**TRIAL MANAGEMENT ORDER**

04 Civ. 2799 (BMC) (VVP)  
and related cases<sup>1</sup>

COGAN, District Judge.

The Court's ruling on the parties' competing proposals for the disposition of the damage claims in these actions is as follows:

1. The Court will hold a trial of damages for those plaintiffs who were injured or killed in the following three attacks, and derivative claims, as otherwise set forth in the exhibits to the plaintiffs' proposals: the March 2002 attack at Café Moment in Jerusalem; the March 2003 suicide bombing attack on Bus No. 37 in Haifa; and the June 2003 attack on Road 60. Jury selection before a Magistrate Judge is set for May 18, 2015, with trial before this Court to follow.

2. The following discovery schedule is hereby ordered:

a) Plaintiffs are to file, by December 24, 2014, a list of all witnesses they intend to call at trial.

b) Defendant is to file, by January 7, 2015, a list of any additional witnesses (beyond those designated as trial witnesses by plaintiffs) it seeks to depose. The list shall

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<sup>1</sup> The following related cases have been consolidated with this case for the purposes of discovery and other pretrial proceedings: Philip Litle, et al. v. Arab Bank, PLC, 04-CV-5449; Oran Almog, et al. v. Arab Bank, PLC, 04-CV-5564; Robert L. Coulter, Sr., et al. v. Arab Bank, PLC, 05-CV-365; Gila Afriat-Kurtzer, et al. v. Arab Bank, PLC, 05-CV-388; Michael Bennett, et al. v. Arab Bank, PLC, 05-CV-3183; Arnold Roth, et al. v. Arab Bank, PLC, 05-CV-03738; Stewart Weiss, et al. v. Arab Bank, PLC, 06-CV-1623.

reference the particular plaintiff to which each proposed witness relates, and contain a short summary of why defendant thinks it is necessary to depose that witness. The Court recognizes that the depositions of plaintiffs' designated witnesses or discovery responses may lead to the identification of other witnesses that defendant may want to depose, and the Court will therefore allow supplementation of defendant's list for good cause shown, provided, however, that the parties are directed to cooperate in taking the depositions of plaintiffs' designated witnesses as soon as reasonably possible so that any potential additional witnesses are identified earlier rather than later. At the same time, defendant is cautioned that the Court will not allow unfettered and unnecessarily burdensome discovery, and considerations of proportionality will be applied to each proposed deposition to determine whether the likelihood of obtaining useful information from a witness warrants the time and expense of that witness's deposition.

c) All written discovery requests (including interrogatories and document requests) are to be served by January 14, 2015.

d) All written discovery responses (including document production) are to be served by February 17, 2015.

e) All fact depositions (not including treating physicians or other health care professionals) are to be completed by March 13, 2015.

f) Expert reports or Rule 26(a)(2)(C) disclosures are to be served by April 1, 2015.

g) Rebuttal expert reports, if any, are to be served by April 15, 2015.

h) Depositions of treating physicians and other treating health professionals, if any, are to be completed by April 30, 2015.

i) Retained expert depositions are to be completed by May 8, 2015.

3. Fact witness depositions in English are limited to 3 hours, and fact witness depositions requiring translation to 6 hours, absent a showing of good cause.

4. Expert witness depositions in English are limited to 7 hours, and expert witness depositions requiring translation to 12 hours, absent a showing of good cause.

**SO ORDERED.**

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U.S.D.J.

Dated: Brooklyn, New York  
December 10, 2014